

Docket No.: 071513-021

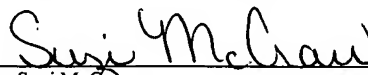
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
SCHLESS, ELY :
Serial No.: 10/698,535 : Group Art Unit: 3611
Filed: October 31, 2003 : Examiner: DEPUMPO, Daniel G.
For: FRAMES FOR ELECTRIC MOTOR DRIVEN CYCLES

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail under 37 CFR 1.8(a) in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: September 29, 2004


Suzi McGraw

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Tesla Capital, LLC, having a place of business at 6707 Democracy Blvd., Suite 905, Bethesda, MD 20817, represents: (a) that it is the owner of the entire interest of the above-identified U.S. patent application Serial No. 10/698,535, filed October 31, 2003, and entitled FRAMES FOR ELECTRIC MOTOR DRIVEN CYCLES, by virtue of the Transfer Statement recorded in the United States Patent and Trademark Office; and (b) that it is the owner of the entire interest in U.S. Patent No. 6,691,813, issued February 14, 2004 and entitled FRAMES FOR ELECTRIC MOTOR DRIVEN CYCLES, by virtue of the Transfer Statement recorded in the United States Patent and Trademark Office.

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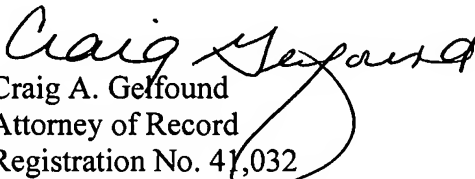
LAS99 1366421-1.071513.0021

Tesla Capital, LLC hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 6,691,813. Tesla Capital, LLC hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to U.S. Patent No. 6,691,813. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Tesla Capital, LLC does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term of U.S. Patent No. 6,691,813, in the event that said patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

Please charge the terminal disclaimer fee under 37 CFR 1.20(d) in the amount of \$55.00 to deposit account number 501946 (Order No. 071513-021) in the name of McDermott Will & Emery LLP. A duplicate of the document is enclosed.

Respectfully submitted,


Craig A. Gelfound
Attorney of Record
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2049 Century Park East, 34th Floor
Los Angeles, CA 90067
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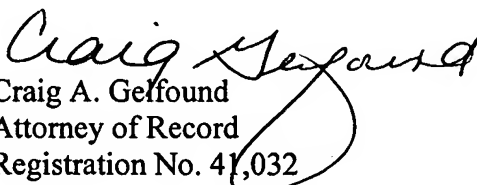
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